



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1320/2
RCT:kjf:ph
rmr

IN 2/18

DOA:.....Steinmetz, BB0312 - Recycling fund modifications

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

Note

Don't Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
ENVIRONMENT

SOLID AND HAZARDOUS WASTE

Under current law, the main sources of revenue for the recycling and renewable energy fund are the recycling tipping fee and the recycling surcharge. The recycling tipping fee is one of several fees, often called tipping fees, that are based on the weight of solid waste disposed of at a landfill or other waste disposal facility. Currently, the recycling tipping fee is \$7 per ton of solid waste disposed of, other than certain kinds of high-volume industrial waste. The recycling surcharge is imposed on businesses that have at least \$4,000,000 in gross receipts. The minimum annual surcharge is \$25 and the maximum annual surcharge is \$9,800.

This bill renames the recycling and renewable energy fund to be the economic development fund and renames the recycling surcharge to be the economic development surcharge. Under the bill, \$4 per ton of the recycling tipping fee is deposited in the economic development fund and \$3 per ton is deposited in the environmental fund. The bill also changes the current appropriations from the recycling and renewable energy fund that are for purposes related to the environment to be from the environmental fund.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓
1 **SECTION 1.** 20.115 (1) (u) of the statutes is amended to read:

2 20.115 (1) (u) *Recyclable and nonrecyclable products regulation.* From the
3 ~~recycling and renewable energy~~ environmental fund, the amounts in the schedule for
4 the implementation and enforcement of ss. 100.29, 100.295 and 100.33.

✓
5 **SECTION 2.** 20.115 (4) (qm) of the statutes is amended to read:

6 20.115 (4) (qm) *Grants for agricultural facilities.* Biennially, from the ~~recycling~~
7 environmental fund, the amounts in the schedule for grants for agricultural facilities
8 under 2007 Wisconsin Act 20, section 9103 (4u) and 2009 Wisconsin Act 28, section
9 9103 (3f).

✓
10 **SECTION 3.** 20.115 (7) (va) of the statutes is amended to read:

11 20.115 (7) (va) *Clean sweep grants.* From the ~~recycling and renewable energy~~
12 environmental fund, the amounts in the schedule for chemical and container
13 collection grants under s. 93.55 and for household hazardous waste grants under s.
14 93.57.

✓
15 **SECTION 4.** 20.143 (1) (tm) of the statutes is amended to read:

16 20.143 (1) (tm) *Wisconsin development fund grants and loans; ~~recycling and~~*
17 ~~*renewable energy*~~ *economic development fund.* Biennially, from the ~~recycling and~~
18 ~~*renewable energy*~~ *economic development* fund, the amounts in the schedule for
19 grants and loans under ss. 560.126 and 560.61 and for grants under 2007 Wisconsin
20 Act 20, section 9108 (4v).

****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

✓
21 **SECTION 5.** 20.143 (1) (um) of the statutes is amended to read:

22 20.143 (1) (um) *Wisconsin development fund, administration; ~~recycling and~~*
23 ~~*renewable energy*~~ *economic development fund.* From the ~~recycling and renewable~~

1 ~~energy economic development~~ fund, the amounts in the schedule for administering
2 the programs under s. 560.126 and subch. V of ch. 560.

****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

3 SECTION 6. 20.285 (1) (s) of the statutes is amended to read:

4 20.285 (1) (s) *Wisconsin Bioenergy Initiative*. From the ~~recycling and~~
5 ~~renewable energy~~ environmental fund, the amounts in the schedule to support
6 research under the Wisconsin Bioenergy Initiative into improved plant biomass,
7 improved biomass processing, conversion of biomass into energy products,
8 development of a sustainable energy economy, and development of enabling
9 technologies for bioenergy research.

10 SECTION 7. 20.285 (1) (tb) of the statutes is amended to read:

11 20.285 (1) (tb) *Extension recycling education*. From the ~~recycling and~~
12 ~~renewable energy~~ environmental fund, the amounts in the schedule for University
13 of Wisconsin-Extension educational and technical assistance programs in recycling
14 and recycling market development.

15 SECTION 8. 20.285 (1) (tm) of the statutes is amended to read:

16 20.285 (1) (tm) *Solid waste research and experiments*. From the ~~recycling and~~
17 ~~renewable energy~~ environmental fund, the amounts in the schedule for research into
18 alternative methods of solid waste management and for administering solid waste
19 experiment centers.

20 SECTION 9. 20.370 (2) (hq) of the statutes is amended to read:

21 20.370 (2) (hq) *Recycling; administration*. From the ~~recycling and renewable~~
22 ~~energy~~ environmental fund, the amounts in the schedule for the administration of
23 subch. II of ch. 287, other than ss. 287.21, 287.23 and 287.25.

1 **SECTION 10.** 20.370 (2) (hr) of the statutes is amended to read:

2 20.370 (2) (hr) *Electronic waste recycling.* From the ~~recycling and renewable~~
3 ~~energy~~ environmental fund, all moneys received under s. 287.17 (4) and (10) (j) for
4 ~~administration of the electronic waste recycling program under s. 287.17.~~

5 **SECTION 11.** 20.370 (3) (mr) of the statutes is amended to read:

6 20.370 (3) (mr) *Recycling; enforcement and research.* From the ~~recycling and~~
7 ~~renewable energy~~ environmental fund, the amounts in the schedule for research and
8 enforcement under subch. II of ch. 287, other than under ss. 287.21, 287.23 and
9 287.25.

10 **SECTION 12.** 20.370 (6) (br) of the statutes is amended to read:

11 20.370 (6) (br) *Environmental aids — waste reduction and recycling.* From the
12 ~~recycling and renewable energy~~ environmental fund, as a continuing appropriation,
13 the amounts in the schedule for waste reduction and recycling demonstration grants
14 under s. 287.25 and for business waste reduction and recycling assistance under s.
15 287.26.

16 **SECTION 13.** 20.370 (6) (bu) of the statutes is amended to read:

17 20.370 (6) (bu) *Financial assistance for responsible units.* From the ~~recycling~~
18 ~~and renewable energy~~ environmental fund, the amounts in the schedule for grants
19 to responsible units under s. 287.23 and for the grant under 2009 Wisconsin Act 28,
20 section 9137 (1q).

21 **SECTION 14.** 20.370 (6) (bv) of the statutes is amended to read:

22 20.370 (6) (bv) *Recycling efficiency incentive grants.* From the ~~recycling and~~
23 ~~renewable energy~~ environmental fund, the amounts in the schedule for recycling
24 efficiency incentive grants under s. 287.235.

25 **SECTION 15.** 20.370 (6) (ev) of the statutes is amended to read:

1 20.370 (6) (ev) *Reimbursement for disposal of contaminated sediment*. From
2 the ~~recycling~~ environmental fund, the amounts in the schedule for reimbursement
3 for out-of-state disposal of contaminated sediment under s. 292.68.

4 **SECTION 16.** 20.370 (8) (iw) of the statutes is amended to read:

5 20.370 (8) (iw) *Statewide recycling administration*. From the ~~recycling and~~
6 ~~renewable energy~~ environmental fund, the amounts in the schedule for
7 administration of a statewide recycling program under ch. 287.

8 **SECTION 17.** 20.370 (9) (is) of the statutes is amended to read:

9 20.370 (9) (is) *Statewide recycling administration*. From the ~~recycling and~~
10 ~~renewable energy~~ environmental fund, the amounts in the schedule for the
11 administration of recycling activities under ch. 287.

12 **SECTION 18.** 20.410 (1) (qm) of the statutes is amended to read:

13 20.410 (1) (qm) *Computer recycling*. From the ~~recycling and renewable energy~~
14 environmental fund, the amounts in the schedule for the department to recycle
15 computers.

16 **SECTION 19.** 20.490 (5) (q) of the statutes is amended to read:

17 20.490 (5) (q) ~~*Recycling and renewable energy*~~ *Environmental fund transfer to*
18 *Wisconsin development reserve fund*. From the ~~recycling and renewable energy~~
19 environmental fund, as a continuing appropriation, the amounts in the schedule to
20 be transferred to the Wisconsin development reserve fund under s. 234.93.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

21 **SECTION 20.** 20.566 (1) (q) of the statutes is amended to read:

22 20.566 (1) (q) ~~*Recycling*~~ *Economic development surcharge administration*.
23 From the ~~recycling and renewable energy~~ economic development fund, the amounts

1 in the schedule for the costs, including data processing costs, incurred in
2 administering the ~~reeycling~~ economic development surcharge under subch. VII of ch.
3 77.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 21.** 25.17 (1) (nm) of the statutes is amended to read:

5 25.17 (1) (nm) ~~Reeyeling and renewable energy~~ Economic development fund (s.
6 25.49);

7 **SECTION 22.** 25.46 (6s) of the statutes is created to read:

8 25.46 (6s) The amounts required under s. 289.645 (6) to be deposited in the
9 environmental fund.

10 **SECTION 23.** 25.49 (intro.) of the statutes is amended to read:

11 **25.49 ~~Reeyeling and renewable energy~~ Economic development fund.**

12 (intro.) There is established a separate nonlapsible trust fund designated as the
13 ~~reeycling and renewable energy~~ economic development fund, to consist of:

14 **SECTION 24.** 25.49 (1m) of the statutes is renumbered 25.46 (5k).

15 **SECTION 25.** 25.49 (2) of the statutes is renumbered 25.46 (5L).

16 **SECTION 26.** 25.49 (3) of the statutes is amended to read:

17 25.49 (3) The ~~fees imposed~~ amounts required under s. 289.645 (6) to be
18 deposited in the economic development fund.

19 **SECTION 27.** 73.03 (27) of the statutes is amended to read:

20 73.03 (27) To write off from the records of the department income, franchise,
21 sales, use, withholding, motor fuel, gift, beverage and cigarette tax and ~~reeycling~~
22 economic development surcharge liabilities, following a determination by the

77.93 Applicability. (intro.) For the privilege of doing business in this state, there is imposed ~~a recycling~~ an economic development surcharge on the following entities:

SECTION 31. 77.96 (6) of the statutes is amended to read:

77.96 (6) The department of revenue shall refer to the surcharge under this subchapter as the recycling economic development surcharge.

SECTION 32. 77.97 of the statutes is amended to read:

77.97 Use of revenue. The department of revenue shall deposit the surcharge, interest and penalties collected under this subchapter in the ~~recycling and renewable energy~~ economic development fund under s. 25.49.

SECTION 33. 287.31 (6) of the statutes is amended to read:

287.31 (6) USE OF REVENUES. The newspaper recycling fees collected under sub. (5) shall be deposited in the ~~recycling and renewable energy~~ environmental fund under s. 25.49.

SECTION 34. 289.645 (6) of the statutes is amended to read:

289.645 (6) USE OF RECYCLING FEES. ~~The~~ Of the fees collected under sub. (2), \$4 per ton shall be deposited in the ~~recycling and renewable energy economic development fund~~ and \$3 per ton shall be deposited in the environmental fund.

(END)

ONote

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

Date

LRB-1320/2dn

RCT.. *King*

Jana Steinmetz, Jonathan Hoechst, Cindy Dombrowski:

This draft reconciles LRB-1050, LRB-1320 and LRB-1465. All of these drafts should continue to appear in the compiled bill.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1320/2dn
RCT:kjf:ph

February 18, 2011

Jana Steinmetz, Jonathan Hoechst, Cindy Dombrowski:

This draft reconciles LRB-1050, LRB-1320 and LRB-1465. All of these drafts should continue to appear in the compiled bill.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1320/2 3
RCT:kj:ph (m)

In 2/24

DOA:.....Steinmetz, BB0312 - Recycling fund modifications

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

Due

do Not gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
ENVIRONMENT

SOLID AND HAZARDOUS WASTE

Under current law, the main sources of revenue for the recycling and renewable energy fund are the recycling tipping fee and the recycling surcharge. The recycling tipping fee is one of several fees, often called tipping fees, that are based on the weight of solid waste disposed of at a landfill or other waste disposal facility. Currently, the recycling tipping fee is \$7 per ton of solid waste disposed of, other than certain kinds of high-volume industrial waste. The recycling surcharge is imposed on businesses that have at least \$4,000,000 in gross receipts. The minimum annual surcharge is \$25 and the maximum annual surcharge is \$9,800.

This bill renames the recycling and renewable energy fund to be the economic development fund and renames the recycling surcharge to be the economic development surcharge. Under the bill, \$4 per ton of the recycling tipping fee is deposited in the economic development fund and \$3 per ton is deposited in the environmental fund. The bill also changes the current appropriations from the recycling and renewable energy fund that are for purposes related to the environment to be from the environmental fund.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.115 (1) (u) of the statutes is amended to read:

2 20.115 (1) (u) *Recyclable and nonrecyclable products regulation.* From the
3 ~~recycling and renewable energy~~ environmental fund, the amounts in the schedule for
4 the implementation and enforcement of ss. 100.29, 100.295 and 100.33.

5 **SECTION 2.** 20.115 (4) (qm) of the statutes is amended to read:

6 20.115 (4) (qm) *Grants for agricultural facilities.* Biennially, from the ~~recycling~~
7 environmental fund, the amounts in the schedule for grants for agricultural facilities
8 under 2007 Wisconsin Act 20, section 9103 (4u) and 2009 Wisconsin Act 28, section
9 9103 (3f).

10 **SECTION 3.** 20.115 (7) (va) of the statutes is amended to read:

11 20.115 (7) (va) *Clean sweep grants.* From the ~~recycling and renewable energy~~
12 environmental fund, the amounts in the schedule for chemical and container
13 collection grants under s. 93.55 and for household hazardous waste grants under s.
14 93.57.

15 **SECTION 4.** 20.285 (1) (s) of the statutes is amended to read:

16 20.285 (1) (s) *Wisconsin Bioenergy Initiative.* From the ~~recycling and~~
17 ~~renewable energy~~ environmental fund, the amounts in the schedule to support
18 research under the Wisconsin Bioenergy Initiative into improved plant biomass,
19 improved biomass processing, conversion of biomass into energy products,
20 development of a sustainable energy economy, and development of enabling
21 technologies for bioenergy research.

22 **SECTION 5.** 20.285 (1) (tb) of the statutes is amended to read:

23 20.285 (1) (tb) *Extension recycling education.* From the ~~recycling and~~
24 ~~renewable energy~~ environmental fund, the amounts in the schedule for University

1 of Wisconsin-Extension educational and technical assistance programs in recycling
2 and recycling market development.

3 **SECTION 6.** 20.285 (1) (tm) of the statutes is amended to read:

4 20.285 (1) (tm) *Solid waste research and experiments.* From the ~~recycling and~~
5 ~~renewable energy~~ environmental fund, the amounts in the schedule for research into
6 alternative methods of solid waste management and for administering solid waste
7 experiment centers.

8 **SECTION 7.** 20.370 (3) (mr) of the statutes is amended to read:

9 20.370 (3) (mr) *Recycling; enforcement and research.* From the ~~recycling and~~
10 ~~renewable energy~~ environmental fund, the amounts in the schedule for research and
11 enforcement under subch. II of ch. 287, other than under ss. 287.21, 287.23 and
12 287.25.

13 **SECTION 8.** 20.370 (6) (bv) of the statutes is amended to read:

14 20.370 (6) (bv) *Recycling efficiency incentive grants.* From the ~~recycling and~~
15 ~~renewable energy~~ environmental fund, the amounts in the schedule for recycling
16 efficiency incentive grants under s. 287.235.

17 **SECTION 9.** 20.370 (6) (ev) of the statutes is amended to read:

18 20.370 (6) (ev) *Reimbursement for disposal of contaminated sediment.* From
19 the ~~recycling~~ environmental fund, the amounts in the schedule for reimbursement
20 for out-of-state disposal of contaminated sediment under s. 292.68.

21 **SECTION 10.** 20.370 (8) (iw) of the statutes is amended to read:

22 20.370 (8) (iw) *Statewide recycling administration.* From the ~~recycling and~~
23 ~~renewable energy~~ environmental fund, the amounts in the schedule for
24 administration of a statewide recycling program under ch. 287.

25 **SECTION 11.** 20.370 (9) (is) of the statutes is amended to read:

1 20.370 (9) (is) *Statewide recycling administration*. From the ~~recycling and~~
2 ~~renewable energy~~ environmental fund, the amounts in the schedule for the
3 administration of recycling activities under ch. 287.

4 **SECTION 12.** 20.410 (1) (qm) of the statutes is amended to read:

5 20.410 (1) (qm) *Computer recycling*. From the ~~recycling and renewable energy~~
6 environmental fund, the amounts in the schedule for the department to recycle
7 computers.

8 **SECTION 13.** 20.490 (5) (q) of the statutes is amended to read:

9 20.490 (5) (q) ~~Recycling and renewable energy~~ *Environmental fund transfer to*
10 *Wisconsin development reserve fund*. From the ~~recycling and renewable energy~~
11 environmental fund, as a continuing appropriation, the amounts in the schedule to
12 be transferred to the Wisconsin development reserve fund under s. 234.93.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

13 **SECTION 14.** 20.566 (1) (q) of the statutes is amended to read:

14 20.566 (1) (q) *Recycling* Economic development surcharge administration.
15 From the ~~recycling and renewable energy~~ economic development fund, the amounts
16 in the schedule for the costs, including data processing costs, incurred in
17 administering the ~~recycling~~ economic development surcharge under subch. VII of ch.
18 77.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

19 **SECTION 15.** 25.17 (1) (nm) of the statutes is amended to read:

20 25.17 (1) (nm) ~~Recycling and renewable energy~~ Economic development fund (s.
21 25.49);

22 **SECTION 16.** 25.46 (6s) of the statutes is created to read:

25.46 **(6s)** The amounts required under s. 289.645 (6) to be deposited in the environmental fund.

SECTION 17. 25.49 (intro.) of the statutes is amended to read:

~~25.49 Recycling and renewable energy~~ Economic development fund.

(intro.) There is established a separate nonlapsible trust fund designated as the recycling and renewable energy economic development fund, to consist of:

SECTION 18. 25.49 (1m) of the statutes is renumbered 25.46 (5k).

SECTION 19. 25.49 (2) of the statutes is renumbered 25.46 (5L).

SECTION 20. 25.49 (3) of the statutes is amended to read:

25.49 (3) ~~The fees imposed~~ amounts required under s. 289.645 (6) ~~to be~~
deposited in the economic development fund.

SECTION 21. 73.03 (27) of the statutes is amended to read:

73.03 (27) To write off from the records of the department income, franchise, sales, use, withholding, motor fuel, gift, beverage and cigarette tax and recycling economic development surcharge liabilities, following a determination by the secretary of revenue that they are not collectible. Taxes written off under this subsection remain legal obligations.

SECTION 22. Chapter 77 (title) of the statutes is amended to read:

CHAPTER 77

TAXATION OF FOREST CROPLANDS:

REAL ESTATE TRANSFER FEES:

SALES AND USE TAXES; COUNTY,

TRANSIT AUTHORITY, AND

SPECIAL DISTRICT SALES AND USE

TAXES; MANAGED FOREST LAND;

RECYCLING ECONOMIC DEVELOPMENT**SURCHARGE; LOCAL FOOD****AND BEVERAGE TAX;****LOCAL RENTAL CAR TAX; PREMIER****RESORT AREA TAXES;****STATE RENTAL VEHICLE FEE;****DRY CLEANING FEES;****SOUTHEASTERN REGIONAL****TRANSIT AUTHORITY FEE**

SECTION 23. Subchapter VII (title) of chapter 77 [precedes 77.92] of the statutes is amended to read:

CHAPTER 77**SUBCHAPTER VII****RECYCLING ECONOMIC DEVELOPMENT SURCHARGE**

SECTION 24. 77.93 (intro.) of the statutes is amended to read:

77.93 Applicability. (intro.) For the privilege of doing business in this state, there is imposed ~~a recycling~~ an economic development surcharge on the following entities:

SECTION 25. 77.96 (6) of the statutes is amended to read:

77.96 (6) The department of revenue shall refer to the surcharge under this subchapter as the ~~recycling~~ economic development surcharge.

SECTION 26. 77.97 of the statutes is amended to read:

77.97 Use of revenue. The department of revenue shall deposit the surcharge, interest and penalties collected under this subchapter in the ~~recycling and renewable energy~~ economic development fund under s. 25.49.

SECTION 27. 287.31 (6) of the statutes is amended to read:

287.31 (6) USE OF REVENUES. The newspaper recycling fees collected under sub. (5) shall be deposited in the ~~recycling and renewable energy~~ environmental fund under s. 25.49.

SECTION 28. 289.645 (6) of the statutes is amended to read:

289.645 (6) USE OF RECYCLING FEES. ~~The~~ Of the fees collected under sub. (2), \$4
per ton shall be deposited in the ~~recycling and renewable energy economic~~
~~development fund and \$3 per ton shall be deposited in the environmental~~ fund.

(END)

d-note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

3
LRB-1320/1 dn

RCT:kfph

~~February 18, 2011~~

late

gis

Jana Steinmetz, Jonathan Hoechst, Cindy Dombrowski:

continues to
This draft reconciles LRB-1050, LRB-1320 and LRB-1465. All of these drafts should continue to appear in the compiled bill. *(D)*

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov

This redraft corrects errors in the ^{reconciling} reconciling of these drafts.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1320/3dn
RCT:cjs:jf

February 24, 2011

Jana Steinmetz, Jonathan Hoechst, Cindy Dombrowski:

This draft continues to reconcile LRB-1050, LRB-1320 and LRB-1465. All of these drafts should continue to appear in the compiled bill. This redraft corrects errors in the reconciling of these drafts.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1320/3
RCT:kjf&cjs:jf

DOA:.....Steinmetz, BB0312 - Recycling fund modifications

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

SOLID AND HAZARDOUS WASTE

Under current law, the main sources of revenue for the recycling and renewable energy fund are the recycling tipping fee and the recycling surcharge. The recycling tipping fee is one of several fees, often called tipping fees, that are based on the weight of solid waste disposed of at a landfill or other waste disposal facility. Currently, the recycling tipping fee is \$7 per ton of solid waste disposed of, other than certain kinds of high-volume industrial waste. The recycling surcharge is imposed on businesses that have at least \$4,000,000 in gross receipts. The minimum annual surcharge is \$25 and the maximum annual surcharge is \$9,800.

This bill renames the recycling and renewable energy fund to be the economic development fund and renames the recycling surcharge to be the economic development surcharge. Under the bill, \$4 per ton of the recycling tipping fee is deposited in the economic development fund and \$3 per ton is deposited in the environmental fund. The bill also changes the current appropriations from the recycling and renewable energy fund that are for purposes related to the environment to be from the environmental fund.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.115 (1) (u) of the statutes is amended to read:

2 20.115 (1) (u) *Recyclable and nonrecyclable products regulation.* From the
3 ~~recycling and renewable energy~~ environmental fund, the amounts in the schedule for
4 the implementation and enforcement of ss. 100.29, 100.295 and 100.33.

5 **SECTION 2.** 20.115 (4) (qm) of the statutes is amended to read:

6 20.115 (4) (qm) *Grants for agricultural facilities.* Biennially, from the ~~recycling~~
7 environmental fund, the amounts in the schedule for grants for agricultural facilities
8 under 2007 Wisconsin Act 20, section 9103 (4u) and 2009 Wisconsin Act 28, section
9 9103 (3f).

10 **SECTION 3.** 20.115 (7) (va) of the statutes is amended to read:

11 20.115 (7) (va) *Clean sweep grants.* From the ~~recycling and renewable energy~~
12 environmental fund, the amounts in the schedule for chemical and container
13 collection grants under s. 93.55 and for household hazardous waste grants under s.
14 93.57.

15 **SECTION 4.** 20.285 (1) (s) of the statutes is amended to read:

16 20.285 (1) (s) *Wisconsin Bioenergy Initiative.* From the ~~recycling and~~
17 ~~renewable energy~~ environmental fund, the amounts in the schedule to support
18 research under the Wisconsin Bioenergy Initiative into improved plant biomass,
19 improved biomass processing, conversion of biomass into energy products,
20 development of a sustainable energy economy, and development of enabling
21 technologies for bioenergy research.

22 **SECTION 5.** 20.285 (1) (tb) of the statutes is amended to read:

23 20.285 (1) (tb) *Extension recycling education.* From the ~~recycling and~~
24 ~~renewable energy~~ environmental fund, the amounts in the schedule for University

1 of Wisconsin-Extension educational and technical assistance programs in recycling
2 and recycling market development.

3 **SECTION 6.** 20.285 (1) (tm) of the statutes is amended to read:

4 20.285 (1) (tm) *Solid waste research and experiments.* From the ~~recycling and~~
5 ~~renewable energy~~ environmental fund, the amounts in the schedule for research into
6 alternative methods of solid waste management and for administering solid waste
7 experiment centers.

8 **SECTION 7.** 20.370 (6) (ev) of the statutes is amended to read:

9 20.370 (6) (ev) *Reimbursement for disposal of contaminated sediment.* From
10 the ~~recycling~~ environmental fund, the amounts in the schedule for reimbursement
11 for out-of-state disposal of contaminated sediment under s. 292.68.

12 **SECTION 8.** 20.370 (8) (iw) of the statutes is amended to read:

13 20.370 (8) (iw) *Statewide recycling administration.* From the ~~recycling and~~
14 ~~renewable energy~~ environmental fund, the amounts in the schedule for
15 administration of a statewide recycling program under ch. 287.

16 **SECTION 9.** 20.370 (9) (is) of the statutes is amended to read:

17 20.370 (9) (is) *Statewide recycling administration.* From the ~~recycling and~~
18 ~~renewable energy~~ environmental fund, the amounts in the schedule for the
19 administration of recycling activities under ch. 287.

20 **SECTION 10.** 20.410 (1) (qm) of the statutes is amended to read:

21 20.410 (1) (qm) *Computer recycling.* From the ~~recycling and renewable energy~~
22 environmental fund, the amounts in the schedule for the department to recycle
23 computers.

24 **SECTION 11.** 20.490 (5) (q) of the statutes is amended to read:

1 20.490 (5) (q) ~~Recycling and renewable energy~~ Environmental fund transfer to
2 Wisconsin development reserve fund. From the ~~recycling and renewable energy~~
3 environmental fund, as a continuing appropriation, the amounts in the schedule to
4 be transferred to the Wisconsin development reserve fund under s. 234.93.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 12.** 20.566 (1) (q) of the statutes is amended to read:

6 20.566 (1) (q) ~~Recycling~~ Economic development surcharge administration.
7 From the ~~recycling and renewable energy~~ economic development fund, the amounts
8 in the schedule for the costs, including data processing costs, incurred in
9 administering the ~~recycling~~ economic development surcharge under subch. VII of ch.
10 77.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

11 **SECTION 13.** 25.17 (1) (nm) of the statutes is amended to read:

12 25.17 (1) (nm) ~~Recycling and renewable energy~~ Economic development fund (s.
13 25.49);

14 **SECTION 14.** 25.46 (6s) of the statutes is created to read:

15 25.46 (6s) The amounts required under s. 289.645 (6) to be deposited in the
16 environmental fund.

17 **SECTION 15.** 25.49 (intro.) of the statutes is amended to read:

18 **25.49 ~~Recycling and renewable energy~~ Economic development fund.**
19 (intro.) There is established a separate nonlapsible trust fund designated as the
20 ~~recycling and renewable energy~~ economic development fund, to consist of:

21 **SECTION 16.** 25.49 (1m) of the statutes is renumbered 25.46 (5k).

22 **SECTION 17.** 25.49 (2) of the statutes is renumbered 25.46 (5L).

1 **SECTION 18.** 25.49 (3) of the statutes is amended to read:

2 25.49 (3) The fees imposed amounts required under s. 289.645 (6) to be
3 deposited in the economic development fund.

4 **SECTION 19.** 73.03 (27) of the statutes is amended to read:

5 73.03 (27) To write off from the records of the department income, franchise,
6 sales, use, withholding, motor fuel, gift, beverage and cigarette tax and recycling
7 economic development surcharge liabilities, following a determination by the
8 secretary of revenue that they are not collectible. Taxes written off under this
9 subsection remain legal obligations.

10 **SECTION 20.** Chapter 77 (title) of the statutes is amended to read:

11 **CHAPTER 77**

12 **TAXATION OF FOREST CROPLANDS;**

13 **REAL ESTATE TRANSFER FEES;**

14 **SALES AND USE TAXES; COUNTY,**

15 **TRANSIT AUTHORITY, AND**

16 **SPECIAL DISTRICT SALES AND USE**

17 **TAXES; MANAGED FOREST LAND;**

18 **RECYCLING ECONOMIC DEVELOPMENT**

19 **SURCHARGE; LOCAL FOOD**

20 **AND BEVERAGE TAX;**

21 **LOCAL RENTAL CAR TAX; PREMIER**

22 **RESORT AREA TAXES;**

23 **STATE RENTAL VEHICLE FEE;**

24 **DRY CLEANING FEES;**

**SOUTHEASTERN REGIONAL
TRANSIT AUTHORITY FEE**

SECTION 21. Subchapter VII (title) of chapter 77 [precedes 77.92] of the statutes is amended to read:

CHAPTER 77

SUBCHAPTER VII

RECYCLING ECONOMIC DEVELOPMENT SURCHARGE

SECTION 22. 77.93 (intro.) of the statutes is amended to read:

77.93 Applicability. (intro.) For the privilege of doing business in this state, there is imposed ~~a recycling~~ an economic development surcharge on the following entities:

SECTION 23. 77.96 (6) of the statutes is amended to read:

77.96 (6) The department of revenue shall refer to the surcharge under this subchapter as the ~~recycling~~ economic development surcharge.

SECTION 24. 77.97 of the statutes is amended to read:

77.97 Use of revenue. The department of revenue shall deposit the surcharge, interest and penalties collected under this subchapter in the ~~recycling and renewable energy~~ economic development fund under s. 25.49.

SECTION 25. 287.31 (6) of the statutes is amended to read:

287.31 (6) USE OF REVENUES. The newspaper recycling fees collected under sub. (5) shall be deposited in the ~~recycling and renewable energy~~ environmental fund under s. 25.49.

SECTION 26. 289.645 (6) of the statutes is amended to read:

289.645 (6) USE OF RECYCLING FEES. ~~The Of the~~ fees collected under sub. (2), \$4 per ton shall be deposited in the ~~recycling and renewable energy~~ economic development fund and \$3 per ton shall be deposited in the environmental fund.

(END)